

PTO 1390 Page 1 of 1

US Dept. of Commerce Pat. & Trademark Office

Attorney's Docket No.

23133

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 USC 371**

US. Application No. (if known)

10/516653

INTERNATIONAL APP. NO.

PCT/DE02/02328

INTERNATIONAL FILING DATE

28 May 2002

PRIORITY DATE CLAIMED

28 May 2002

TITLE OF INVENTION

DEVICE THAT AUTOMATICALLY TRACKS THE POSITION OF THE SUN

APPLICANT(S) FOR DO/EO/US

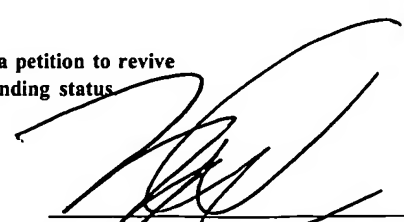
Elfi JANUS et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EU/US) the following .

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 USC 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
3. ☐ This is an express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 317(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 USC 371(c)(2)).
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau.
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Patent Office.
6. ☐ A translation of the International application into English.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau.
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3).
9. ☒ An oath or declaration of the inventor(s) (35 USC 371(c)(4).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)).

Items 11. to 16. below concern documents or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An Assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
- ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items of information.

| | | |
|---|--|---|
| US Application no (if known) 10/516653 | International Application no. PCT/DE02/02328 | Attorney's Docket No. 23133 |
| 17. The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search report has been prepared by the EPO or JP \$950.00 Int'l prel. exam. fee paid to USPTO (37 CFR 1.482) \$750.00 No int'l prel. exam. fee paid to USPTO (37 CFR 1.482) but int'l search fee paid to USPTO (37 CFR 1.445(a)(2)) \$790.00 Neither int'l prel. exam fee (37 CFR 1.482) nor int'l search fee (37 CFR 1.455(a)(2)) paid to USPTO \$1000.00 Intl. prel. exam. fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Art. 33(2-4) \$200.00 ENTER APPROPRIATE BASIC FEE AMOUNT | | CALCULATIONS PTO USE ONLY |
| Surcharge of \$130.00 for furnishing oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | \$65 |
| CLAIMS | NO. FILED | NO. EXTRA |
| Total claims | | |
| Ind. claims | | |
| MULTIPLE DEP. CLAIM(S) (if applicable) (see prel. amt.) | | |
| TOTAL OF ABOVE CALCULATIONS | | \$130 |
| Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (37 CFR 1.2, 1.27, 1.28) | | \$65 |
| SUBTOTAL | | \$65 |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | |
| TOTAL NATIONAL FEE | | \$65 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The Assignment may be accompanied by an appropriate PTO-1595 cover sheet (37 CFR 3.28, 3.39) | | \$40 |
| TOTAL FEES ENCLOSED | | \$105 |
| KEY1 00000131 10516653 <div style="text-align: right; margin-right: 50px;">65.00 OP</div> | | Amt to be refunded Amt to be charged |
| a. <input type="checkbox"/> A check in the amount of \$32.5 to cover the above fees is enclosed b. <input type="checkbox"/> Please charge my deposit account 18-2025 \$00.00 to cover the above fees. A copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> Please charge the amount due to the credit card identified in the attached PTO-2038. d. <input checked="" type="checkbox"/> The commissioner is authorized to charge any additional fees which may be required or credit any overpayment to deposit account 18-2025. A copy of this sheet is enclosed e. <input checked="" type="checkbox"/> A PTO-2038 in the amount of \$40 to cover recordal of the Assignment is enclosed | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status | | |
| Send all correspondence to: The Firm of Karl F. Ross P.C. 5676 Riverdale Ave. Box 900 Riverdale (Bronx), NY 10471 | | |
| | |  Herbert Dubno, Reg. No. 19,752 |

23133



Certificate of Express or First-Class Mailing
I hereby certify that I have deposited this correspondence with the US Postal Service as first-class or, if a mailing-label number is given below, as express mail addressed to Comm. of Patents, Box 1450, Alexandria, VA 22313-1450 on
AUG 31 2005
PCT \$

IN THE U.S. PATENT AND TRADEMARK OFFICE

EV701300306

Inventor Elfi JANUS et al
Patent App. 10/516,653 (US Nat'l phase of PCT/DE02/02328)
Filed 26 November 2004
For DEVICE THAT AUTOMATICALLY TRACKS THE POSITION OF THE SUN

Hon. Commissioner of Patents
Box 1450 Alexandria, VA 22313-1450

RECORD OF TRANSMITTAL--PCT APPLICATION

| | | |
|-------------------------------------|--|---------|
| <input checked="" type="checkbox"/> | PCT Transmittal | |
| <input type="checkbox"/> | PCT Application | |
| <input type="checkbox"/> | Translation | |
| <input type="checkbox"/> | Sheets of Drawing (0) | |
| <input checked="" type="checkbox"/> | PCT Declaration | |
| <input type="checkbox"/> | PCT Documents | |
| <input type="checkbox"/> | International Search Report | |
| <input type="checkbox"/> | Preliminary Amendment | |
| <input checked="" type="checkbox"/> | Assignment (with PTO-1595 and sep. PTO-2038) | |
| <input checked="" type="checkbox"/> | PTO-2038 for Official Fees | |
| <input checked="" type="checkbox"/> | Late filing | \$65.00 |
| | Total | \$65.00 |

Please charge any fees not covered by an enclosed PTO-2038 to account 18-2025 of the undersigned.

31 August 2005

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Bronx, NY 10471-0900
Tel: (718) 884-6600
Fax: (718) 601-1099
Customer No. 535
rg

Respectfully submitted,
The Firm of Karl F. Ross P.C.

Herbert Dubno, Reg. 19,752



UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 31 AUG 2005

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/516,653 | Elfi Janus | 23133 |

INTERNATIONAL APPLICATION NO.

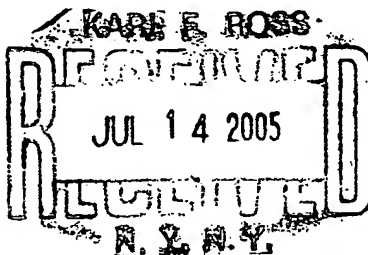
PCT/DE02/02328

I.A. FILING DATE

PRIORITY DATE

05/28/2002

The Firm of Karl F Ross
 5676 Riverdale Ave
 Box 900
 Riverdale (Bronx), NY 10471



CONFIRMATION NO. 8766

371 FORMALITIES LETTER



OC000000016482393

Date Mailed: 07/11/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 11/26/2004
- English Translation of the IA filed on 11/26/2004
- Copy of the International Search Report filed on 11/26/2004
- Preliminary Amendments filed on 11/26/2004
- U.S. Basic National Fees filed on 11/26/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/516,653 | PCT/DE02/02328 | 23133 |

FORM PCT/DO/EO/905 (371 Formalities Notice)